

Message Text

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44

ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 SSO-00 L-03 PM-03 DODE-00 SY-05

SCS-03 SCA-01 CIAE-00 INR-07 NSAE-00 PA-01 PRS-01

SS-15 NSC-05 NSCE-00 INRE-00 USIE-00 /057 W

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O R 021705Z JUN 75 ZFF-4

FM AMEMBASSY ATHENS

TO SECSTATE WASHDC IMMEDIATE 8961

INFO CINCUSNAVEUR IMMEDIATE

CMC

COMFAIRMED

FLESUPPO ATHENS

NAVSUPPACT NAPLES

MARBKS NAPLES

MARSECURITY GRD BN WASHDC

NAVY JAG

NAVLEGSVCOFF NAPLES

NAVLEGSVCBROFF ATHENS

C O N F I D E N T I A L ATHENS 4046

E.O. 11652: GDS

TAGS: ASEC, AFSP, MILI, OGEN, GR

SUBJECT: CASE OF MSG TELESFORO SANCHEZ

REF: (A) STATE 126652; (B) ATHENS 3794

1. IN MAY 23 DISCUSSION WITH DCM, MIGLIARESSIS STATED THAT FONOFF HAD BEEN UNABLE TO CONVINCE MINISTRY OF JUSTICE THAT SANCHEZ ENTITLED TO IMMUNITY FROM CRIMINAL JURISDICTION. HE ASKED THAT EMBASSY PROVIDE A NOTE VERBALE TO FONOFF RE-STATING MUCH OF MATERIAL PROVIDED IN AIDE-MEMOIRE OF APRIL 3, 1975, ASSERTING THAT USG NOT WAIVING IMMUNITY, AND SEEKING GOG'S CONCURRENCE IN HOLDING TRIAL ON GREEK SOIL. FONOFF HAD OBVIOUSLY CONCLUDED THAT FROM ITS POINT OF VIEW HOLDING TRIAL AT NEA MAKRI PREFERABLE TO HOLDING IT ABROAD SHIP AT ELEFSIS PIER. MIGLIARESSIS NOTED THAT FONOFF TRANSLATION OF
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NOTE WOULD BE PROVIDED TO PM CARAMANLIS EARLY IN WEEK OF

JUNE 2, FOLLOWING LATTER'S RETURN FROM NATO SUMMIT. EMBASSY
ON MAY 27 PROVIDED SUCH A NOTE, TEXT TO FOLLOW SEPTTEL,
IN WHICH UNDESIRABILITY OF FURTHER DELAY AND ESSENTIALITY
OF APPEARANCES AT COURT MARTIAL BY GREEK WITNESSES ALSO WERE STRESSED.

2. FONOFF IS NOTABLY RELUCTANT TO ENGAGE IN INTERNECINE
STRUGGLES WITH OTHER MINISTRIES OF THE GOG, AND WERE WE AT
THIS PLINT TO TAKE ANOTHER TACK FONOFF PROBABLY WOULD FEEL
THAT WE WERE UNDERCUTTING THEIR EFFORTS ON OUR BEHALF.
THEREFORE, UNTIL WE RECEIVE SOME INDICATION FROM FONOFF OF
OUTCOME OF ITS PENDING ATTEMPT TO RESOLVE THE DISAGREEMENT
BETWEEN IT AND MINISTRY OF JUSTICE, WE BELEIVE IT WOULD BE
IMPOLITIC AT THIS JUNCTURE TO CARRY THROUGH WITH APPROACH
OUTLINED IN REF A. NEVERTHELESS, WE RECOGNIZE URGENCY OF
PROCEEDING WITH COURT MARTIAL TRAIL AND WILL CONTINUE TO
PRESS THIS POINT WITH GOG.
KUBISCH

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